

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 1, 2010

D056166 In re T.M., a Juvenile

The appeal is dismissed. O'Rourke, J.; We Concur: McConnell, P.J., Huffman, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 2, 2010

- D054617 People v. Doakes**
The judgment is affirmed. Huffman, J.; We Concur: McConnell, P.J., Benke, J.
- D056194 In re Ashley E. et al., Juveniles**
Upon filing an abandonment of appeal, personally signed by the appellant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)
- D055404 In re Watson on Habeas Corpus**
The judgment is reversed in part. The case is remanded with directions to modify the sentence by striking the upper terms imposed for the firearm use enhancements in counts 1 and 3 and for kidnapping in count 3, and to resentence in accordance with *People v. Sandoval* (2007) 41 Cal.4th 825, 845-847. The court is also directed to forward the modified abstract of judgment to the Department of Corrections and Rehabilitation. Certified for publication.
McIntyre, J., We Concur: McConnell, P.J., Aaron, J.
- D055096 In re Alejandro Cruz P., a Juvenile**
The judgment is affirmed.
McIntyre, J.; We Concur: Haller, Acting P.J., McDonald, J.
- D056636 People v. Guadarrama**
The notice of appeal is premature because no appealable order or judgment has yet been entered. The appeal is dismissed without prejudice to refile a notice of appeal after an appealable order or judgment has been entered.
- D056581 In re Fear on Habeas Corpus**
The petition is denied.
- D056434 In re Handy on Habeas Corpus**
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 3, 2010

- D055402 In re Chase S., a Juvenile**
The judgment is affirmed. Haller, J.; We Concur: McConnell, P.J., Benke, J.
- D053959 People v. Trahan**
The judgment is affirmed. Irion, J.; We Concur: McConnell, P.J., Nares, J.
- D054119 People v. Franklin**
The judgment is affirmed.
Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.
- D053738 Ohton v. California State University of San Diego et al.**
The petition for rehearing is denied.
- D056597 In re Hearn on Habeas Corpus**
The petition is denied.
- D053985 People v. Head**
The no-contact order of the trial court is stricken and the judgment as modified is affirmed. Benke, Acting P.J.; We Concur: O'Rourke, J., Irion, J.
- D053400 Redevelopment Agency of the City of San Diego v. The Mercado Alliance, LLP**
Redevelopment Agency of the City of San Diego has filed an application to dismiss its cross-appeal filed July 31, 2008. The appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.244(c)(2).) Each party to bear own costs on appeal.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 4, 2010

- D052888 People v. Del Toro**
The judgment is affirmed. O'Rourke, J; We Concur: Haller, Acting P.J., Irion, J.
- D055256 People v. Shaplin**
The judgment is modified to strike the order prohibiting Shaplin from having contact with either Alyssa S. or Isabella D., and to specify there be no visitation between Shaplin and the victims. As so modified the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment that reflects these modifications, and to forward a certified copy of the amended abstract to the Department of Corrections.
Huffman, Acting P.J.; We Concur: McIntyre, J., Irion, J.
- D056594 Goines et al. v. Superior Court of San Diego County/People**
The petition is denied.
- D053991 In re A.G., a Juvenile**
The true finding that A.G. violated San Diego Municipal code section 58.0102 is reversed. In all other respects the judgment is affirmed. CERTIFIED FOR PUBLICATION. McDonald, J.; We Concur: Huffman, Acting P.J., Nares, J.
- D055076 County of San Diego v. Madrigal et al.**
The order is affirmed. Madrigal is awarded costs on appeal.
McConnell, P.J.; We Concur: Nares, J., Irion, J.
- D056690 Montijo v. Superior Court of San Diego County/Ford Motor Company**
The petition is denied as moot in light of the court's January 27, 2010, recusal.
- D056452 S.V. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.
- D055862 El Patio, LLC et al. v. 190 Orange Avenue et al.**
Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately.
- D056172 Conservatorship of Kristen M.B.**
Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
February 5, 2010

- D054780 Apex Wholesale, Inc. v. Fry's Electronics, Inc.**
The orders are affirmed. Fry's shall recover its costs on appeal.
Nares, J.; We Concur: Benke, Acting P.J., Irion, J.
- D050414 People v. Limbrick et al.**
The judgments against Limbrick and Anderson are affirmed.
Nares, Acting P.J., I Concur: McIntyre, J.,
I Concur in the Majority Opinion: Aaron, J.
- D053035 Cornelius v. Vogt et al.**
D053286 Cornelius v. Vogt et al.
The judgment is affirmed. Each party is to bear its own costs on appeal.
O'Rourke, J; We Concur: Benke, Acting P.J., Irion, J.